



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Mara G. Prentiss, et al.
Serial No: 09/997,998
Confirmation No.: 4037
Filed: November 30, 2001
For: MICROMAGNETIC SYSTEMS AND METHODS FOR
MICROFLUIDICS
Examiner: Not yet assigned
Art Unit: 3653

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the 3 day of November, 2003.

Signature

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

Transmitted herewith for filing are the following documents:

- ☒ Response to Election Requirement
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned collect at (617)720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is necessary, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
Mara G. Prentiss, et al., Applicants

By:

Timothy J. Oyer, Ph.D., Reg. No. 36,638
WOLF, GREENFIELD & SACKS, P.C.
600 Atlantic Avenue
Boston, Massachusetts 02210-2211
Telephone: (617) 720-3500

Docket No. H00498.70153.US
Date: November 3, 2003
X11/01/03X



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Dear Sir:

RESPONSE TO ELECTION REQUIREMENT

In response to the Election Requirement dated October 1, 2003, the applicants request reconsideration.

The Patent Office requests that the applicants elect a species from among several delineated by the Patent Office on the basis of figures. The Patent Office requests that the applicants make an election, and then list all claims "readable on" the elected species.

The applicants deem this election requirement to be improper, since many of the claims (for example, method claim 1), would not be properly deemed "readable" on any of the figures upon which the requirement is based (although claim 1 is, of course, supported under §112 by the specification and figures, as are all figures). If the Patent Office disagrees, then it is respectfully requested that the Patent Office explain how method claims could be readable on these figures, in a way that would allow the applicants to elect from among all method claims (which they should be entitled to do).

The applicants wish to propose that the following claims form a group for search and examination, together, at first instance:

Independent claims 45, 55, 79, and 96 and their dependent claims defining, as a group, claims 45-79 and 96-102.

It is believed that a single search and examination relating to these claims would not place undue burden on the Patent Office.

Respectfully submitted,
Mara G. Prentiss, et al., Applicants

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